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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BANK OF AMERICA, N.A.,  
Plaintiff,

vs.

ELKHORN COMMUNITY ASSOCIATION;  
SFR INVESTMENTS POOL 1, LLC;  
ABSOLUTE COLLECTION SERVICES,  
LLC,

Defendants.

SFR INVESTMENTS POOL 1, LLC,  
Counter/Cross Claimant,

vs.

BANK OF AMERICA, N.A.; and DEBORAH  
S. LIENING, an individual,

Counter/Cross Defendants.

Case No. 2:16-cv-00524-RFB-NJK

**NOTICE OF SETTLEMENT AND  
STIPULATION AND ORDER TO  
CONTINUE STAY OF LITIGATION**

PLEASE TAKE NOTICE that Bank of America, N.A. (“BANA”) and SFR Investments Pool 1, LLC (“SFR”) (collectively the “Parties”) have reached a global settlement in principal on multiple properties, including the Property at issue in this case. The settlement will resolve all claims between BANA and SFR.

1 Based on the confidential settlement agreement, the Parties have agreed to stay the  
2 litigation for ninety (90) days to allow for the Parties to perform a condition precedent and to  
3 finalize the settlement. Accordingly, the Parties are submitting the instant Stipulation and Order  
4 seeking to continue to already existing stay of litigation in this matter.

5 Pursuant to a Minute Order in Chambers issued on October 17, 2019, this case was  
6 administratively stayed pending the result of the Nevada Supreme Court's order of en banc  
7 reconsideration in the case *Bank of America, N.A. v. Thomas Jessup, LLC Series VII*. [ECF No.  
8 63.] The Minute Order set a deadline of 30 days after the stay was lifted for refiling dispositive  
9 motions. [ECF No. 63.] The Nevada Supreme Court issued its Order of en banc reconsideration  
10 on May 7, 2020. *Bank of America, N.A. v. Thomas Jessup, LLC Series VII*, 462 P.3d 255 (Nev.  
11 2020) (unpublished disposition), thereby resolving that issue. While the issuance of the Order did  
12 not automatically lift the stay in this case, in an abundance of caution, the Parties hereby stipulate  
13 to vacate the dispositive motion deadline set by the Court's October 7, 2019, Order, and stipulate  
14 to continue the stay of litigation for ninety (90) days to allow for the parties to finalize settlement.  
15 The Parties agree that any party may move to lift the stay before the expiration of the ninety days

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1 if they determine the circumstances justify doing so.

2 The Parties further request the court set a status report deadline regarding the settlement  
3 for ninety (90) from the issuance of this Stipulation and Order. This request to stay is being made  
4 in the interest of preserving judicial resources and, as set forth above, on the basis of a material  
5 term of the Settlement Agreement.

6 DATED this 4th day of June, 2020.

7 **AKERMAN LLP**

8 /s/ Scott R. Lachman

9 ARIEL E. STERN, ESQ.

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11 SCOTT R. LACHMAN, ESQ.

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15 *Attorneys for Bank of America, N.A.*

DATED this 4th day of June, 2020.

**KIM GILBERT EBRON**

/s/ Jacqueline A. Gilbert

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**ORDER**

IT IS SO ORDERED.



RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED this 5th day of June, 2020.

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